

## **REMARKS**

Claims 1 and 5-7 are pending in the application. The current Office Action dated October 22, 2010 rejects claims 1 and 5-7.

The Office Action Summary does not indicate whether the drawings are acceptable. Acknowledgement of the drawings' acceptability is respectfully requested.

Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 59-195565 (“JP ‘565”). Claims 5-7 are, in the alternative, rejected under 35 U.S.C. 103(a) as being unpatentable over JP ‘565. The applicant respectfully traverses the rejection for at least the reasons set forth below.

Independent claim 1 as amended recites, in pertinent part, a flow through injection valve comprising a movable member and at least one pin valve. The pin valve has a pin and a flow through internal conduit extending through the pin. The pin is movably disposed so that the internal conduit is capable of fluidically communicating with at least one flow through conduit in a movable member.

This feature is presented by way of example at least at Figure 4B of the applicant's drawings. As shown in Figure 4B, an injection valve 850 comprises a movable member 804 and a plurality of pins 1-4. Flow through internal conduit 812' extends through pin 1. Pin 1 is movably disposed so that the internal conduit 812' is capable of fluidically communicating with a flow through channel 886', or with an open port 894' of another flow through channel.

The Office Action refers to sliding members 9, 10 as being pin valves. However, the applicant finds little difference between sliding members 9, 10 of

JP '565 and a conventional face seal valve described in the Related Art section of the applicant's specification as filed. For example, the applicant's flow-through sample injection valve includes fluid port openings that do not slide against a rotor surface (see Brief Summary of the Invention section of the specification as filed). To the contrary, the sliding members 9 and 10 of JP '565 are oscillatably pressed onto the surface of the rotor member 8 by disc springs 7, and sliding members 22 and 23 form rubbing surfaces with the surface of the rotor member 8.

Moreover, neither sliding member 9 nor sliding member 10 comprises a pin, as claimed. Instead, sliding members 9, 10 are hemispherical-shaped for forming a rubbing surface with the rotor 8. Therefore, JP '565 suffers limitations described in the Related Art section of the applicant's specification as filed, namely, fluid port openings sliding against the surface of the rotor 8.

Accordingly, the applicant respectfully requests withdrawal of the rejection of independent claim 1 under 35 U.S.C. 102(b) based on JP '565 because JP '565 does not teach or suggest every element or limitation of the Applicants' invention as now claimed.

Dependent claims 5-7 depend directly or indirectly from independent claim 1 and are patentable for at least those reasons presented above in connection with independent claim 1.

### **CONCLUSION**

Applicant submits that this paper provides a response for all pending claims. Any absence of a reply to a specific rejection, issue, or comment, or to any taking of "official notice" or reliance on "common sense", however, does not signify agreement with or concession of that rejection, issue, comment, taking of "official notice", or reliance on "common sense". In addition, because the arguments made above are not exhaustive, there may

be reasons for patentability of any or all pending claims that have not been expressed (for example, swearing behind one or more of the cited references).

In view of the arguments made herein, the Applicant submits that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508)303-2003.

Respectfully submitted,

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